

SHELTER CODE AMENDMENTS

QUICK REFERENCE

The City creates codes, policies and programs to provide different types of shelters and services for those experiencing houselessness.

There are more than 1,000 people who are experiencing houselessness in Central Oregon on any given night. This number includes families with children and youth who do not live with an adult.

[City Council's 2021-2023 goals](#) includes a Housing goal, “Take meaningful action to make this statement a reality: People who live and work in Bend can afford housing in Bend,” with an implementation strategy “to modify City codes to allow for managed camps, shelters and other facilities to address homelessness and create housing or facilities to house 500 homeless individuals on a temporary or permanent basis.” The City is working with community partners on developing a [comprehensive set of strategies](#), which include finding ways to keep people in their homes, providing temporary transitional housing, and increasing the availability of affordable housing in Bend, including shelter beds.

As a part of these strategies, the City Manager appointed the [Sounding Board to House Our Neighbors](#) in early 2021 to develop a package of [code amendments](#), which clarify standards for development of different types of shelters and transitional options citywide. These are standards for any property owner or developer who might want to open a shelter.

BACKGROUND

The Sounding Board was comprised of City Councilors, representatives from the City’s [Planning Commission](#), [Affordable Housing Advisory Committee](#), [Bend Economic Development Advisory Board](#), and [Neighborhood Leadership Alliance](#), as well as representatives from the Homeless Leadership Coalition and service providers.

Between April and December 2021, the Sounding Board held nine meetings, all open to the public and with opportunities for public comment at every meeting. The meetings focused on evaluating best practices used in other cities, examining the [Bend Development Code](#) to determine which zoning districts were most appropriate to allow shelters, and what size shelters to allow in different areas of the city. The Sounding Board developed recommendations for three types of permanent shelters, as well as two types of temporary shelters.



FREQUENTLY ASKED QUESTIONS

Why did the Sounding Board need to develop these code amendment recommendations?

The current standards don't provide certainty for neighbors, or any guarantees on the maximum size or duration of a shelter. The Bend Development Code regulations treat shelters as "Temporary Housing," which are only allowed in a limited number of zoning districts. The current code standards needed updating, including parking, screening, and management of a facility. Additionally, there are currently no maximums for the number of rooms or units that can be provided through the temporary housing regulations.

The Oregon Legislature passed several bills to allow homeless shelters to be easily sited in cities. These laws have expiration dates, however, and in order to provide longer-term solutions, the Bend City Council directed staff to review the City's own Development Code standards for shelters. The City has always authorized temporary shelters, such as for winter weather, heat, or smoke, through an emergency declaration by the City Manager. This method is not a sustainable way to provide more shelter beds, and does not adequately help those experiencing houselessness. Additionally, there is no land use review, development standards, or management requirements incorporated with the emergency order process. The current code also allows placement of a manufactured home on a residential property for "Medical Hardship" housing. This type of housing has not been widely used.

What is included in the package of Shelter Code amendments?

The Shelter Code amendments propose three permanent shelter types- Outdoor, Multi-Room, and Group Shelters, and two temporary shelter types- a Temporary Shelter, and a provision for Hardship Housing, which replaces the existing Medical Hardship Housing mentioned above.

The standards vary by each of the City's zoning districts, and also provide regulations for the number of units permitted, parking, management, and other site standards. [View the proposed Shelter Code here.](#)

How were the final Shelter Code recommendations determined by the Sounding Board?

The Sounding Board examined best practices in other cities across the Northwest, and consulted local service providers to develop the draft code language, which were finalized on Dec. 15, 2021. As part of public review process for the amendments, staff used an interactive "StoryMap" survey that explained each of the proposed shelter types and asked for specific feedback on the Shelter Code provisions. Over the three-week period the survey was open, over 2,500 people viewed the StoryMap pages, and 868 people completed the entire survey and questions. This [Sounding Board memo](#) summarizes the results of the survey.



Following the survey, what input from the public was incorporated in the final Sounding Board recommendations? How did that change from what had originally been proposed?

The Sounding Board considered input from the survey and public comment at their Nov. 10 meeting, and adjusted their recommendations for the two temporary shelter types to:

1. Provide neighbors with greater assurance that Temporary Shelters will be managed by requiring that a Temporary Shelter (one allowed for a maximum of 180 days) be associated with a public or institutional use when in any residential zoning district. Temporary shelters are also required to comply with the management requirements required of permanent shelters.
2. Limit the permitted duration of Hardship Housing (allows a property owner to have a manufactured home or RV on their property for a person who is otherwise homeless) to 180 days, with the ability to renew three times, for a total maximum duration of two years. Initially, the Sounding Board recommended that Hardship Housing be permitted for one year, and an ability to renew meant a total time period of three years.

What other shelters are currently operating? How many new shelters can we expect from the Shelter Code amendments?

That is a difficult question to answer, because so much of siting shelters is dependent on social service providers obtaining funding, and finding properties for the shelters. For perspective, the only new shelters to open or begin construction in the past several years have been with one-time infusions of funds and code amendments, including:

- Central Oregon Villages (10 beds) and St. Vincent DePaul (12 beds) - developed under [House Bill 4212](#) (now expired);
- Warming Shelter/Navigation Center (80 beds) - developed under [House Bill 2006](#). The City purchased the building with federal American Rescue Plan Act (ARPA) funds, shelter operations were funded with a one-time Coronavirus Aid, Relief, and Economic Security Act (CARES) expansion of the existing Community Development Block Grant (CDBG) funds, and one-time state navigation center funds, among other potentially recurring sources;
- Project Turnkey on Division Street (28 rooms) - developed under [House Bill 3261](#). The City purchased with [Project Turnkey](#) funds awarded by the State.

The CARES-CDBG and Turnkey funds are now exhausted, House Bill 4212 expired, and House Bill 2006 expires in June. As part of its 2021-2023 Council goals and implementation strategies, the City Council requested local code amendments to fill the gap left by these expiring statewide bills.

How can I provide input on the Shelter Code amendments?

You can provide comments on the proposed code amendments to the [Bend Planning Commission](#), who will hold a virtual work session on Jan. 24, 2022, at 5:30 p.m. and a virtual public hearing on Feb. 14, 2022, at 5:30 p.m. to review the proposed amendments and make a recommendation to the City Council. No public testimony is taken at the work session, but will be at the public hearing.



[View the agenda for the Jan. 24 work session.](#) The agenda will explain how to view, listen to, provide comment, and/or participate in the virtual meetings. Once the meeting has started, the meeting can also be live-streamed by clicking the hyperlink for video in progress. Additional information may be found at: [bendoregon.gov/planningcommission.](http://bendoregon.gov/planningcommission)

Following the Planning Commission meetings, the City Council will hold a work session and public hearing on the amendments and recommendation from the Planning Commission. [View information on upcoming City Council meetings.](#)

Those who would like to provide public comment on the record should send one email to the following three email addresses: councilall@bendoregon.gov; cityplanningcommissionall@bendoregon.gov; phardie@bendoregon.gov.

